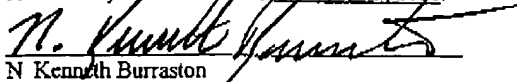


CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO at (571) 273-8300 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 February 15, 2006.


N. Kenneth Burraston

Ref No. 12439-0141

**RECEIVED
CENTRAL FAX CENTER****FEB 15 2006****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/034,412
Applicant : Mathieu et al.
Filed : December 27, 2001
TC/A.U. : 2829
Examiner : Vinh P. Nguyen

Confirmation No. 2559

Docket No. : 20206-18

Mail Stop Office Of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.313(C) TO WITHDRAW FROM ISSUE**To Whom It May Concern:**

Applicants respectfully petition the Commissioner under 37 C.F.R. § 1.313(c) that the above-identified patent application be withdrawn from issue to consider Applicants' request for continued examination of the application. 37 C.F.R. § 1.313(c)(2). A Request For Continued Examination (RCE) in compliance with 37 C.F.R. § 1.114 is submitted herewith. The RCE includes an Information Disclosure Statement ("IDS") citing U.S. Patent No. 6,674,627 to Kund (the "Kund patent"). Applicants previously filed an IDS citing a German language European patent document (EP 1098200) that corresponds to the Kund patent. Applicants only recently, however, became aware of the English language Kund patent issued in the U.S., and Applicants believe that the English language Kund patent should be brought to the Examiner's attention. Applicants believe that allowing the Examiner to consider the English language Kund patent constitutes good and sufficient reason for withdrawing the application from issue.

Note that the IDS submitted herewith also cites JP 09-5358 and WO 01/69274. The citation of those documents, however, does not form the grounds supporting withdrawal of the application from issue. Rather, as discussed above, citation of the Kund patent forms the grounds supporting withdrawal of the application from issue.

02/16/2006 TL0111 00000031 10034412

01 FC:1464

130.00 OP

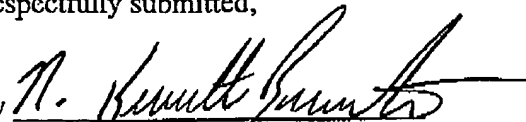
Appl. No. 10/034,412
Petition dated February 15, 2006

For the reasons discussed above, Applicants respectfully request that the above-identified patent application be withdrawn from issue and prosecution reopened in accordance with the RCE submitted herewith to allow the Examiner to consider the English language Kund patent.

Respectfully submitted,

Date: February 15, 2006

By



N. Kenneth Burraston
Reg. No. 39,923

Kirton & McConkie
1800 Eagle Gate Tower
60 East South Temple
P.O. Box 45120
Salt Lake City, Utah 84111-1004
Telephone: (801) 323-5934
Fax: (801) 321-4893